

September 12, 2008
H.White
scores/anscomplaint

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7
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9
10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12

13 THE CALIFORNIA COALITION OF)
14 UNDRESSED PERFORMERS; 4 EXOTIC)
15 DANCERS; and ALL SIMILARLY)
16 SITUATED INDIVIDUALS,)

CASE NO. CV 08-04038 ABC (SSx)

17 Plaintiffs)

ANSWER TO COMPLAINT

18 vs.)

19 SPEARMINT RHINO, BARE ELEGANCE)
20 CENTURY LOUNGE; CRAZY GIRLS;)
21 DEJU VU SHOWGIRLS; FANTASY)
22 ISLAND; 4 PLAY; JET STRIP;)
23 PLAYPEN; RIO, ROUGE; SAM'S HOF)
24 BRAU; SCORES; SEVENTH VEIL;)
25 SILVER REIN; STAR STRIP; STAR)
26 STRIP TOO; STARZ and the WILD)
27 GOOSE,)

28 Defendants)

DEFENDANT SCORES RESPONDS TO THE COMPLAINT AS FOLLOW:

1. Denies
2. Denies
3. Denies.
4. Denies.
5. Denies.
6. Denies.

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7. Denies.

8. Denies.

9. Denies.

10. Defendant has no knowledge with respect to Defendant
Spearmint Rhino.

11. Defendant has no knowledge with respect to Defendant Bare
Elegance.

12. Defendant has no knowledge with respect to Century
Lounge.

13. Defendant has no knowledge with respect to Defendant
Crazy Girls.

14. Defendant has no knowledge with respect to Defendant DeJa
Vu Showgirls.

15. Defendant has no knowledge with respect to Defendant
Fantasy Island.

16. Defendant has no knowledge with respect to Defendant 4
Play.

17. Defendant has no knowledge with respect to Defendant Jet
Strip.

18. Defendant has no knowledge with respect to Defendant
Playpen.

19. Admits.

20. Defendant has no knowledge with respect to Defendant
Rouge.

21. Defendant has no knowledge with respect to Defendant
Sam's Hauf Brau.

22. Defendant has no knowledge with respect to Defendant Rio.

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23. Defendant has no knowledge with respect to Defendant
Seventh Veil.

24. Defendant has no knowledge with respect to Defendant
Silver Rein.

25. Defendant has no knowledge with respect to Defendant Star
Strip.

26. Defendant has no knowledge with respect to Defendant Star
Strip Too.

27. Defendant has no knowledge with respect to Defendant
Starz.

28. Defendant has no knowledge with respect to Defendant Wild
Goose.

29. Denies.

30. Denies.

31. Denies.

32. Denies.

33. Denies.

34. Denies.

35. Denies.

36. Denies.

37. Denies.

38. Denies.

39. Denies.

40. Denies.

41. Denies.

42. Denies.

43. Denies.

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44. Denies.

45. Denies.

46. Denies.

47. Denies.

48. Denies.

49. Denies.

50. Denies.

51. Denies.

52. Denies.

53. Denies.

54. Denies.

55. Denies.

56. Denies.

FIRST AFFIRMATIVE DEFENSE

The Defendant had been improperly joined with other Defendants with whom it has no relationship. The action should be dismissed for improper joinder of Defendants.

SECOND AFFIRMATIVE DEFENSE

Plaintiffs lack standing to sue.

THIRD AFFIRMATIVE DEFENSE

The alleged Plaintiff, the California Coalition of Undressed Performers, is not a proper Plaintiff. It is neither a dancer nor any other type of employee or independent contractor. It lacks standing to sue.

FOURTH AFFIRMATIVE DEFENSE

The Plaintiffs named herein as "4 Exotic Dancers" are not proper Plaintiffs. They must sue in the name of a particular

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1 person. Otherwise, these Plaintiffs lack standing to sue.

2 FIFTH AFFIRMATIVE DEFENSE

3 The action should not have been brought as a class action
4 because the named Plaintiffs do not adequately represent the
5 alleged class members. This is not a proper class action.

6 SIXTH AFFIRMATIVE DEFENSE

7 Plaintiff's action is barred by the statute of limitations.

8 SEVENTH AFFIRMATIVE DEFENSE

9 Plaintiffs lacks clean hand.

10 EIGHTH AFFIRMATIVE DEFENSE

11 Plaintiffs are guilty of laches.

12 NINTH AFFIRMATIVE DEFENSE

13 Plaintiffs may not maintain this action as a class action
14 because their attorney, Patrick J. Manshardt, was and is a
15 suspended California attorney and may not practice law during the
16 time of his suspension. For a class action to be properly brought
17 the attorney for the class members must be admitted to practice law
18 in the state where the action is filed. Attorney Patrick J.
19 Manshardt is under suspension and therefore improperly filed this
20 action and improperly had it served.

21 TENTH AFFIRMATIVE DEFENSE

22 The Court lacks jurisdiction.

23 ELEVENTH AFFIRMATIVE DEFENSE

24 During the time Plaintiffs were allegedly employed they earned
25 substantial sums of money and should be compelled to repay that
26 money should they prevail on any claim in this case. It would be
27 unethical for Plaintiffs to retain any money earned while working
28

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1 at the club.

2 WHEREFORE, DEFENDANT PRAYS FOR JUDGMENT AS FOLLOWS:

3 1. That Plaintiffs be awarded nothing;

4 2. That Defendant be awarded judgment;

5 3. That Plaintiffs be forced to pay Defendants their
6 reasonable attorney's fees and other sanctions for filing an
7 improper action;

8 4. For such other and further relief as the Court deems just
9 and proper.

10 Respectfully submitted,

11 s/s

12 ROGER JON DIAMOND
13 Attorney for Defendant
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